

DISTRICT DEPARTMENT OF THE ENVIRONMENT

FISCAL YEAR 2007

REQUEST FOR GRANT APPLICATIONS FROM PUBLIC AND PRIVATE

District Department of the Environment Notice of Funds Availability

**Sustainable Solutions Division
Request for Applications RFA**

District of Columbia Renewable Demonstration Project

Introduction

The District of Columbia Renewable Energy Demonstration Project (REDP) has been developed to increase the awareness and the use of renewable electricity generation technologies by District of Columbia residents, businesses, and institutions.

The DC REDP will provide qualified applicants up to 50% of the costs associated with implementing a mechanism to produce electricity using a renewable source of fuel.

Grant Awards and Amounts

A total of \$450,000 is available to fund projects not to exceed 50% of the total costs associated with the project. ***Please note: Any applications submitted requesting more than 50% of the total project cost will not be forwarded to the review panel.**

These grant funds must be used for any item that is pertinent to the electric generating apparatus fueled by a renewable reuse. That list may include equipment, labor, permits, construction cost, materials, etc.

Target Population

The target population for the Renewable Energy Project is the residents, businesses, and institutions in the District of Columbia.

Eligible Organizations/Entities

The following organizations/entities are eligible to apply for federal grant funds under this Request for Application:

- Individuals
- Organizations
- Businesses
- Schools
- Public Agencies

Eligible projects include any renewable electricity generation facility that will be located within the District of Columbia where construction has not begun. Each applicant should provide evidence to show that it is established and has a recent history of demonstrated accomplishments in similar realms and evidence of structure, resources and management procedures sufficient to implement the proposed project and provide project accountability. Collaborations/coalitions are encouraged to apply for these funds, but must submit the appropriate number of Collaboration/Partner Commitment Forms.

Award Period

The grant awards will be for a period of one (1) year from date of award. Provided the applicant successfully meets the performance objectives, DDOE may extend the terms of this grant. The total duration of this grant, including any continuations under this provision, shall not exceed three years.

Contact Persons

For further information and paperwork pickup, please contact:

Emil King
Program Manager
Sustainable Solutions Division (SSD)
District Department of the Environment
2000 14th Street, NW
Suite 300E
Washington, DC 20009
emil.king@dc.gov
202.359.5924

LaKeisha Estep
Energy Program Specialist
Sustainable Solutions Division (SSD)
District Department of the Environment
2000 14th Street, N.W.
Suite 603H
Washington, DC 20009
lakeisha.estep@dc.gov
202.671.1403

Timeline

Pre-Submission Conference	January 3, 2007
Deadline for submissions	April 2, 2007
Proposal Evaluation	April 9 – April 20, 2007
Awardee Selection	April 23 – April 27, 2007

Notification of Award

On or Before May 4, 2007

Dissemination of Award

June 8 – August 10, 2007

Explanations to Prospective Applicants

Applicants with questions pertaining to the RFA are encouraged to contact the persons listed above on or after January 3, 2007.

Government of the District of Columbia
Anthony A. Williams, Mayor

Office of the Secretary of the
District of Columbia

December 7, 2006

Notice is hereby given that the following named persons have been appointed as Notaries Public in and for the District of Columbia, effective on or after January 2, 2007.

Anderson, Cecelia J.	New	D O J 601 D St, NW#4005 20004
Benjamin, Anna P.	New	D O J/Civil Rights Div 950 Pa Ave, NW#5643 20530
Bernard, Dana	New	Atlas Internat'l Security 1717 K St, NW#600 20036
Best-Schneidmill, Debbie	Rpt	Goodwin Procter 901 N Y Ave, NW 20001
Bickford, Martha R.	Rpt	Martell & Associates 1718 Conn Ave, NW#201 20009
Blackstone, Sujatha P.	New	1107 O St, NW#1 20005
Caldwell, Rolanda	New	Amer Chem Society F C U 1155 16 th St, NW 20036
Campbell, Biera	New	Chaikin & Sherman 1232 17 th St, NW 20036
Carnival, Wendy Ann	Rpt	Wachovia Securities 1133 Conn Ave, NW9thFl 20036
Carson, Evelita M.	New	Ingleside at Rock Creek 3050 Military Rd, NW 20015
Cartwright, Linda M.	New	Baker Botts 1299 Pa Ave, NW 20004
Castillo, Arelis	New	D O J/Civil Rights Div 950 Pa Ave, NW#5057 20530

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Cohen, Ramona C.	Rpt	Kator Parks Weiser 1020 19 th St, NW#350 20036
Coleman, Marnise	New	Cafritz Company 1825 K St, NW#B109 20006
Connolly, Stuart A.	New	Homeland Security 3801 Nebraska Ave, NW 20016
Constantine, Gregory	New	Capital Reporting 1000 Conn Ave, NW#505 20006
Corsi, Marianne	Rpt	Hogan & Hartson 555 13 th St, NW 20004
Cypress, Shirley M.	New	Sun Trust Bank 1445 N Y Ave, NW 20005
Dent, Angelle L.	Rpt	Parsons Transportation 1133 15 th St, NW#800 20005
Dent, Lolita	New	4203 Edson Pl, NE#1D 20019
Diggs, Gwendolyn A.	Rpt	Morrison & Foerster 2000 Pa Ave, NW#5500 20006
Dill-Robinson, Lucinda	New	1208 G St, NE 20002
Ewing, Teresa E.	New	Monarch Title 1015 31 st St, NW#100 20007
Figueroa, Jolie N.	New	Douglas Development 702 H St, NW#400 20001
Fonseca, Erik	New	Wachovia Bank 1850 M St, NW 20036
Frank, Kara S.	New	National Housing Trust 1101 30 th St, NW#400 20007
Gear, Rowena J.	New	227 17 th St, NE 20002

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Gider, Goldie Heidi	Rpt	Society/Women's Health 1025 Conn Ave,NW#701 20036
Goode, Kimberly M.	New	Spriggs & Hollingsworth 1350 I St,NW 20005
Grant, Christal	New	33 Buchanan St,NE 20011
Hamilton, Leslie	New	G W University 2100 Pa Ave,NW#250 20032
Harris, Thelma B.	Rpt	1023 Varnum St,NE 20017
Hollowell, Honore M.	Rpt	Washington Gas 101 Const Ave,NW 20080
Howard, Soraya G.	New	Wilson Sonsini et al 1133 21 st St,NW#405 20036
Ilie, Alexandru	New	Wachovia Bank 1310 G St,NW 20005
Jones, Felecia E.	New	National P T A 1090 Vt Ave,NW#1200 20005
Kawesa, Grace A.	New	We Care Physicals 1201 Franklin St,NE 20014
Kerszykowski, Crystal	New	Hudson Cook 1020 19 th St,NW7thF1 20036
Kirk, Ferlisa	New	Wachovia Bank 5201 MacA Blvd,NW 20016
Li, Samantha	New	Commerce Bank 1753 Conn Ave,NW 20009
Little, Kimani S.	New	D O J 950 Pa Ave,NW 20530
Lomax, Belinda D.	Rpt	1000 Conn Ave,NW#502 20006

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Lozier, Gregory A.	New	Friends of John Kerry 511 C St, NE 20002
McBride, Jerry L.	New	Kaye Scholer 901 15 th St, NW#1100 20005
Mathis, Debra L.	New	D C Water & Sewer Auth 5000 Overlook Ave, SW 20032
Mills, Heather D.	New	Margolius Firm 3000 Conn Ave, NW#8 20008
Mohammed, Zemzem B.	New	CitiBank 5250 MacA Blvd, NW 20016
Montiel, Ana M.	New	1319 Hamlin St, NW 20017
Moore, Angela D.	New	White House Fed C U 1745 Pa Ave, NWBx203 20006
Moore, Keith D.	New	1440 Meridian Pl, NW#102 20010
Moton, Makysa J.	New	F C C 445 12 th St, SW 20554
Nelson, Patricia L.	Rpt	Hunton & Williams 1900 K St, NW 20006
Ng, Sin-Lei	New	Sherman & Sterling 801 Pa Ave, NW 20004
Okiyi, Beatrice E.	New	Chevy Chase Bank 1100 N J Ave, SE 20003
Owolabi, Olufunsho	New	Freilicher & Hoffman 919 18 th St, NW#250 20006
Patterson, Abigail O.	New	White House Federal C U 1745 Pa Ave, NWBx203 20006
Payne, Khaliah	New	Brookland Manor Apts 2500 14 th St, NE 20018

Perry, Alicia A.	New	Washington Post 1150 15 th St,NW 20071
Perry, Antoinette S.	Rpt	D O J/A T F 650 Mass Ave,NW 20226
Pratt, Reginald D.	New	1132 5 th St,NE 20002
Rogers, Margary F.	Rpt	95 Danbury St,SW 20032
Sandoval, Grace Patricia G.	New	Law Office/Robert Pleshaw 1111 14 th St,NW#1000 20005
Savich, Kathy	New	Esquire Deposition Ser 1020 19 th St,NW#620A 20036
Schmitt, Virginia J.	New	Monarch Title 1015 31 st St,NW#300 2007
Scott, Bryan	Rpt	State Farm Insurance 1001 Conn Ave,NW#201 20036
Smith, Stephanie D.	Rpt	1050 N J Ave,NW#210 20001
Snowden, Jennifer R.	New	District Design Developmt 2121 Wis Ave,NW#320 20007
Spidle, Allison L.	New	Hanson & Molloy 1320 19 th St,NW#300 20036
Steinhauser, Amanda	New	D C Habitat for Humanity 843 Upshur St,NW 20011
Symister, Ada	New	D O J 1425 N Y Ave,NW 20005
Talley-Cooper, Tawana E.	Rpt	4223 Meade St,NE 20019
Tarrats, Lynette	New	Wilkes Artis 1150 18 th St,NW#400 20036

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Thomas, Brenda S.	Rpt	D.C. Bar 1250 H St,NW 20005
Thompson, Beth A.	New	Futures Industry Assoc 2001 Pa Ave,NW 20006
Trapp, Joy F.	Rpt	Williams & Connolly 725 12 th St,NW 20005
Uriarte, Gabriela A.	New	Commerce Bank 1753 Conn Ave,NW 20009
Walls, Tieramana V.	New	Sterne Kessler et al 1100 N Y Ave,NW#800 20020
Washington, Cynthia D.	New	G P O/RmA332 732 N Cap St,NW 20401
White, Sr., Terry L.	Rpt	State Farm Insurance 4301 Conn Ave,NW 20008
Wolfe, Charlene S.	New	FedEx Kinko's 208 2 nd St,SE 20003

THURGOOD MARSHALL ACADEMY PUBLIC CHARTER HIGH SCHOOL**NOTICE OF REQUESTS FOR PROPOSALS
SAT Prep Class Teacher**

Thurgood Marshall Academy—a nonprofit, college-preparatory, public charter high school—seeks a contractor to provide SAT test preparation to 69 eleventh grade students. This class is a 55-minute course offered four times a day, four days a week. Its purpose is to prepare students for post-secondary education through the practice and mastery of skills associated with the SAT.

Ideal contractors will provide the following services:

- Complete curriculum for the course.
- Periodic diagnostic tests with analysis of students' scores.
- Evidence of previous success in raising student test scores on the SAT.
- A teacher that has been trained or has experience working in secondary, inner-city schools, that is highly qualified according to NCLB regulations.

Complete proposals will include the following information:

- List of schools that currently use your program or have used it in the past.
- An overview of the curriculum.
- Evidence of student success after completing your program.
- Website address.
- An unsigned contract.

Further information about Thurgood Marshall Academy—including our nondiscrimination policy—may be found at www.thurgoodmarshallacademy.org

Submit proposals no later than **5 pm EST on Wednesday, January 10, 2007**, via e-mail to cbobo@tmapchs.org.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

Application No. 17548 of American Trucking Associations, pursuant to 11 DCMR 3103.2, for a variance from the floor area ratio requirements under section 771, and a variance from the nonconforming structure requirements under subsection 2001.3, to construct an addition and undertake a renovation of an existing nonconforming office building in the CAP/C-2-A District at premises 430-434 1st Street, S.E. and 100 North Carolina Avenue, S.E. (Square 734, Lots 58, 77 and 89).

HEARING DATE: December 19, 2006
DECISION DATE: December 19, 2006 (Bench Decision)

SUMMARY ORDER

SELF-CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2.

The Board provided proper and timely notice of the public hearing on this application by publication in the D.C. Register, and by mail to Advisory Neighborhood Commission (ANC) 6B and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 6B, which is automatically a party to this application. ANC 6B submitted a report in support of the application. The Office of Planning (OP) also submitted a report in support of the application.

As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to § 3102.2, for variances from § 771 and 2001.3. No parties appeared at the public hearing in opposition to this application. Accordingly a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board and having given great weight to the ANC and the Office of Planning reports filed in this case, the Board concludes that the applicant has met the burden of proving under 11 DCMR §§ 3103.2, (771 and 2001.3), that there exists an exceptional or extraordinary situation or condition related to the property that creates a practical difficulty for the owner in complying with the Zoning Regulations, and that the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in

BZA APPLICATION NO. 17548

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the Zoning Regulations and Map. Finally, it is the Board's determination that no variance is needed from the loading berth requirement.

Pursuant to 11 DCMR § 3101.6, the Board has determined to waive the requirement of 11 DCMR § 3125.3, that the order of the Board be accompanied by findings of fact and conclusions of law. It is therefore **ORDERED** that this application be **GRANTED**.

VOTE: **4-0-1** (Ruthanne G. Miller, Curtis L. Etherly, Jr., John A. Mann II, and Gregory N. Jeffries to approve; Geoffrey H. Griffis not present, not voting).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

Each concurring member approved the issuance of this order.

FINAL DATE OF ORDER: **DEC 22 2006**

UNDER 11 DCMR 3125.9, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE FOR THE BOARD OF ZONING ADJUSTMENT."

PURSUANT TO 11 DCMR § 3130, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSES OF SECURING A BUILDING PERMIT.

PURSUANT TO 11 DCMR § 3125 APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE, UNLESS THE BOARD ORDERS OTHERWISE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD.

BZA APPLICATION NO. 17548**PAGE NO. 3**

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE §§ 2-1401.01 ET SEQ. (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.

TWR

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

Application No. 17554 of Peter G. Butturini and Gina L. Mirigliano, pursuant to 11 DCMR § 3104.1, for a special exception to allow a rear addition to an existing single-family detached dwelling under section 223, not meeting the rear yard (section 404) and side yard (section 405) requirements in the R-2 District, at premises 4404 Garrison Street, N.W. (Square 1582, Lot 806).

HEARING DATE: December 19, 2006
DECISION DATE: December 19, 2006 (Bench Decision)

SUMMARY ORDER

SELF-CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2.

The Board provided proper and timely notice of the public hearing on this application by publication in the D.C. Register, and by mail to Advisory Neighborhood Commission (ANC) 3E and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 3E, which is automatically a party to this application. ANC 3E submitted a letter requesting that the special exception be granted. The Office of Planning (OP) submitted a report in support of the application.

As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to § 3104.1, for special exception under section 223. No parties appeared at the public hearing in opposition to this application. Accordingly a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board and having given great weight to the OP and ANC reports the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR §§ 3104.1 and 223, that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map.

Pursuant to 11 DCMR § 3101.6, the Board has determined to waive the requirement of 11 DCMR § 3125.3, that the order of the Board be accompanied by

findings of fact and conclusions of law. It is therefore **ORDERED** that this application be **GRANTED**.

VOTE: 4-0-1 (Ruthanne G. Miller, John A. Mann II, Curtis L. Etherly, Jr., and Gregory N. Jeffries to approve. Geoffrey H. Griffis not participating, not voting)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

Each concurring member approved the issuance of this order.

FINAL DATE OF ORDER: December 20, 2006

UNDER 11 DCMR 3125.9, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE FOR THE BOARD OF ZONING ADJUSTMENT."

PURSUANT TO 11 DCMR § 3130, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSES OF SECURING A BUILDING PERMIT.

PURSUANT TO 11 DCMR § 3125 APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE, UNLESS THE BOARD ORDERS OTHERWISE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD.

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D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 ET SEQ., (ACT) THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS ALSO PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS ALSO PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION. THE FAILURE OR REFUSAL OF THE APPLICANT TO COMPLY SHALL FURNISH GROUNDS FOR THE DENIAL OR, IF ISSUED, REVOCATION OF ANY BUILDING PERMITS OR CERTIFICATES OF OCCUPANCY ISSUED PURSUANT TO THIS ORDER. RSN

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
ZONING COMMISSION ORDER NO. 619-A
Z.C. Case No. 88-34A
(Modification to a Planned Unit Development
for the Children's National Medical Center)
October 16, 2006

Pursuant to notice, the Zoning Commission for the District of Columbia (the "Commission") held a public hearing on September 7, 2006 to consider an application from Children's National Medical Center ("Children's Hospital") for a modification (the "PUD Modification") to an approved planned unit development ("PUD") for the development of Children's Hospital. The Zoning Commission considered the Applications pursuant to Chapters 24 and 30 of the District of Columbia Zoning Regulations, Title 11 of the District of Columbia Municipal Regulations ("DCMR"). The public hearing was conducted in accordance with the provisions of 11 DCMR § 3022. For the reasons stated below, the Zoning Commission hereby approves the PUD Modification.

FINDINGS OF FACT

Application, Hearing, and Parties

1. Children's Hospital filed an application for the PUD Modification on May 23, 2006. The Zoning Commission considered and approved this case for set down at its regularly-scheduled public meeting on June 12, 2006.
2. The Zoning Commission held a public hearing to consider the PUD Modification on September 7, 2006. All notice was found to have been given in accordance with the Zoning Regulations.
3. The parties to the case were Children's Hospital and Advisory Neighborhood Commission ("ANC") 5C, the ANC within which the PUD site is located. ANC 5C did not appear at the hearing but did file a letter in support of the PUD Modification.
4. At the end of the public hearing, the Zoning Commission took proposed action by a vote of 5-0-0 to approve with conditions the PUD Modification and plans presented at the public hearing.
5. The proposed action of the Zoning Commission was officially referred to the National Capital Planning Commission ("NCPC") under the terms of the District of Columbia

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Self-Government and Governmental Reorganization Act. NCPC, by official action dated September 28, 2006, found that the proposed modification would not affect the federal interests in the National Capital, and would not be inconsistent with the Comprehensive Plan for the National Capital.

6. The Zoning Commission took final action by a vote of 5-0-0 to approve the PUD Modification at its public meeting held on October 16, 2006.

The Site and the Area

7. The subject property is known as Assessment and Taxation Lot 801, being a portion of Record Lot 2 in Square 3129 (the "Site"). Lot 801 is located generally within the southwest portion of Record Lot 2, which is bounded by Michigan Avenue, Irving Street and 1st Street, N.W. The Site is improved with facilities serving as Children's Hospital and is part of the larger medical complex in Square 3129.
8. The Site is directly across Michigan Avenue from the McMillan Reservoir. The US Soldiers' Home is located to the north of the Site. The area surrounding the Site is generally characterized by institutional uses, including the Veteran's Administration ("VA") Hospital generally to the northeast of the Site. Further to the east and west are residential uses, but there are no abutting residential properties. Howard University and Catholic University are located nearby.
9. The Site is zoned SP-2.
10. The Generalized Land Use Map designates the Site in the Institutional land use category. The Comprehensive Plan designates the area generally surrounding the Site for Institutional uses (including the Washington Hospital Center, the VA Hospital and Howard University) and for Federal uses (US Soldier's Home).

Previous Approvals

11. In Zoning Commission Case No. 70-3, the Zoning Commission approved a PUD for the development of Children's Hospital and granted a change of zoning from R-5-A to SP for a portion of the Site, which was then known as Lot 1 in Square 3129.
12. In Order No. 14 for Case No. 70-3, the Zoning Commission approved the development of Children's Hospital in two phases. Phase I approved the construction of a four-story building with a height of 91.5 feet and a density of 1.307 FAR. The allowable lot occupancy was 40.8%. The Phase I approval was confirmed by the Board of Zoning Adjustment by Order No. 10369. Phase II of the development was to increase the size of the structure to six stories with a height of 127.5 feet and a density of 2.45 FAR. The allowable lot occupancy was increased to 59.4%. The Commission also approved an

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underground parking facility for up to 1,000 vehicles, of which 886 parking spaces were constructed.

13. In 1989 by Order No. 619 (the "1989 Approval"), the Zoning Commission approved the development of additional facilities for Children's Hospital, which included an expansion to the hospital building, a helipad, and a parking facility for an additional 654 spaces. The height of the building was maintained at 127.5 feet, with an overall density not to exceed 2.45 FAR. The maximum lot occupancy sought and approved was 59.4%.

Development History

14. The four-story main hospital building and associated parking were constructed in the mid-1970's pursuant to Zoning Commission Order No. 14.
15. Children's Hospital was expanded in the early 1990's pursuant to the 1989 Approval to include the West Addition, the helipad relocation, and the below-grade parking facility of the East Addition.
16. Since the 1989 Approval, the following facilities have been constructed at Children's Hospital:
 - a. Floors 5 and 6 on the main hospital for research facilities;
 - b. Floors 2 through 4 on the East Addition;
 - c. Decontamination Facility; and
 - d. Chiller Plant.
17. All of these additions were constructed pursuant to building permits issued by the District of Columbia. The Zoning Administrator did not require these additions to be reviewed by the Zoning Commission.

Proposed Modification

18. In this PUD Modification, Children's Hospital proposes the construction of an additional 96,000 square feet of gross floor area (Floors 5 and 6) to the East Addition with a height of 117 feet, three inches. These floors will provide space for the Neonatal Intensive Care Unit ("NICU") and expansion space for in-patient bed capacity in the future.
19. Children's Hospital also proposes construction of approximately 72,000 square feet of gross floor area for the Post-Up at the north end of the hospital. This addition will provide expansion spaces for surgical facilities. The Post-Up is designed to be four levels (Levels 2, 3, 4, and 5). The Plans in the record, as defined below, show Levels 2, 3 and 4, with the Post-Up having a maximum height of 89 feet, 6 inches. Due to potential

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difficulties in constructing Level 5, the Plans do not show that level, which would be similar to the floors below. The PUD Modification requests approval for all four levels, with a maximum height of 109 feet, 6 inches, in the event that the construction difficulties are resolved.

20. No modifications to parking, loading, or circulation are proposed as part of the PUD Modification.

Public Benefits and Project Amenities

21. The amenities provided by the PUD Modification include the following:
- a. Social services/facilities pursuant to 11 DCMR § 2403.9(g), including high quality pediatric health services, designated pediatric trauma center, children's primary care, and specialty care in outpatient centers.
 - b. Uses of special value to the neighborhood or the District of Columbia pursuant to 11 DCMR § 2403.9(i) including providing health services to the local population and to District residents of all income levels, providing school nurses for the District's public school system, providing emergency medical communications services for all District hospitals, providing a decontamination facility and an emergency quarantine facility, and providing immunization programs for District children.
 - c. Transportation management measures pursuant to 11 DCMR § 2403.9(c), including the continuation and institution of extensive transportation demand management programs.
 - d. High quality, superior design pursuant to 11 DCMR § 2403.9(a), including a design that is reflective of the architectural character of the building previously approved and one that provides a visually strong identity for a building in a prominent location.
 - e. Employment and training opportunities pursuant to 11 DCMR § 2403.9(e), including a First Source Employment Agreement with the D.C. Department of Employment Services and a Memorandum of Understanding for Local, Small and Disadvantaged Business Enterprises ("MOU for LSDBE").

Zoning Flexibility

22. The Applicant requests zoning flexibility from the roof structure requirements set forth in §§ 411 and 530.5(c) of the Zoning Regulations as follows:
- a. Increased roof structure height to approximately twenty-three feet for the roof structure above the elevators providing access from the helipad to the NICU;

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- b. Multiple roof structures; and
 - c. Walls of unequal height for the multiple roof structures.
23. The Zoning Commission finds that the requested zoning flexibility is necessary in order to provide the facilities needed to provide the unique care to infants and children, including the increased height for the roof structure to provide direct access from the helipad on the roof to the NICU.

Compliance with PUD Standards

24. The PUD Modification complies with the standards for a PUD set forth in Chapter 24 of the Zoning Regulations.
25. The Zoning Commission finds that the project offers a high level of public benefits and project amenities, as described in Finding No. 21, and the PUD Modification requests a relatively small amount of development incentives and flexibility.
26. The Site contains 7.3 acres (or 317,995 square feet) of land, which exceeds the minimum area requirements set forth in § 2401.1(c) of the Zoning Regulations.
27. The PUD Modification has been evaluated under the PUD guidelines for the SP-2 District. Under the current Zoning Regulations, a PUD in the SP-2 District is permitted to have a maximum density of 4.5 FAR and a maximum height of 90 feet. Under the Zoning Regulations in effect at the time the PUD was originally approved, a PUD in the SP District was permitted to have a maximum density of 6.0 FAR and a maximum height of 130 feet. The Zoning Commission has previously approved a density of 2.45 FAR and a maximum height of 127.5 for the Site. The PUD Modification will increase the total density for the Site to 3.55 FAR, which is well within that permitted under the former and current Zoning Regulations for a PUD in the SP/now-SP-2 district. The roof plan marked in the record as Exhibit 27 shows that the actual height of the building constructed over the measuring point is 129 feet, 2 3/4 inches. The maximum height of the new construction proposed in this PUD Modification will be less than the maximum overall height for Children's Hospital.
28. The PUD Modification will have no adverse impact on the surrounding area, with the primary goal of the project being to improve the overall delivery of critical health services to the public. The proposed use, scale, and design of the PUD Modification are in keeping with the previously approved PUD and with the immediate environs.
29. The PUD Modification will have no adverse impacts on the area, as is indicated in the Traffic Impact Study, attached as Exhibit B to the Supplemental Prehearing Submission, in the record at Exhibit 22, and the report from the District Department of Transportation

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("DDOT"), in the record at Exhibit 31. Parking and loading will remain unchanged for the Site.

30. The PUD Modification will have no adverse impact of the District's existing water and sewer services, which are adequate to serve this facility.

Consistency with the Comprehensive Plan

31. The PUD Modification is consistent with the Generalized Land Use Map of the Comprehensive Plan, which depicts the Site in the Institutional land use category.
32. The PUD Modification advances the purposes of the Comprehensive Plan by promoting the well-being of District children through the provision of quality hospital care. The PUD Modification will continue to enhance the permanent character and stability of the neighborhood by further improving the Site. Furthermore, construction of the PUD Modification will promote economic growth and jobs for District residents through the First Source Employment Agreement and MOU for LSDBE.
33. The project is consistent with many of the Comprehensive Plan's major themes, including strengthening the District's importance in the metropolitan area by Children's Hospital being located in the District, furthering the theme of respecting and improving the physical character of the District, and ensuring community input.
34. The PUD Modification is consistent with the Human Services Element, which declares that the availability of health and social services is critical to the District community. A wide range of services that are indispensable must be delivered not only to the most desperate and destitute but to anyone in need of human services. These services include, among other, the prevention and control of disease and the provision of medical and health care.
35. The Human Services Element also establishes policies in support of the human services delivery system objective of ensuring a broad range of community-based human services for those in need as follows: maintain and improve services for all children and adults in twenty-four hour care facilities and place clients of the health care system in settings most appropriate to their needs. Furthermore, the element stresses improving the efficiency of health services, initiating all appropriate actions to contain the cost of health care to provide quality service at the lowest possible cost, establishing an all-embracing health information system for effective health planning, and improving strong health care planning processes, which further the goals of quality and cost containment in health care.
36. The PUD Modification is fully consistent with and follows the goals of the Human Services Element of the Comprehensive Plan, because the PUD Modification will allow Children's Hospital to deliver additional and better health care services to the residents of

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the District. Furthermore, the PUD Modification will enhance the reputation of the District as the home of a leading research center for pediatric care. More specifically, the PUD Modification will promote the continuing development of highly specialized services that represent the hub of pediatric health care in the Washington metropolitan area.

37. The PUD Modification also furthers the Environmental Protection Element of the Comprehensive Plan, which include protecting the environment of the District, resisting threats to its overall quality. The PUD Modification will limit soil erosion and sedimentation during and after construction and will include storm water management controls. Furthermore, Children's Hospital will comply with all District and Federal environmental regulations as necessary through the permit process.
38. The basic philosophy of the District's Transportation Element is that by providing for the efficient movement of people and goods within the District and its metropolitan area, the District's transportation network can play a key role in the District's effort to maintain and enhance its function as the economic and cultural hub of the Washington metropolitan area. The Site is well-served by mass transit and is designed to encourage use of these services. Children's Hospital also provides parking in excess of that required by the Zoning Regulations and provides parking to meet the needs of its users. Additionally, the PUD Modification includes the institution of a transportation management program.
39. The PUD Modification furthers many of the objectives and policies of the Ward 4 Element, which is the ward within which the Site was located at the time the Comprehensive Plan was adopted. Specifically, an objective of the Ward 4 Element is to encourage, with high-density rezoning as necessary, and with appropriate measure to mitigate potential adverse impacts on surrounding areas, the development of hospitals and related health care services in Square 3129. A recommended action related to this objective is to ensure the continued use of Square 3129, with expansion as necessary, for hospital and related health care services and uses. These policies specifically apply to the expansion of Children's Hospital to support the important services it provides.

Office of Planning

40. The Office of Planning ("OP") submitted its Final Report dated August 28, 2006 (the "Final OP Report"). By the Final OP Report and through testimony presented at the public hearing, OP recommended approval of the PUD Modification subject to the following requirements:
 - a. Financial contribution to signalization improvements at Michigan Avenue and Hospital Center Drive, as stipulated by DDOT; and

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- b. Transportation demand strategies outlined in the applicant's traffic study and supported by DDOT.
- 41. The Final OP Report states that the PUD Modification is not inconsistent with the Comprehensive Plan and that the PUD Modification would further the policies of the Comprehensive Plan, resulting in the availability of optimum care for the District's children.
- 42. The Final OP Report also states that the benefits to the community from the PUD Modification compensate for the increase in the requested density beyond the previously approved.
- 43. The Final OP Report states, and OP testified at the hearing, that OP believes that all additions subsequent to the 1989 Approval should be brought into conformance as a modification of the original plan through this PUD Modification.

District Department of Transportation

- 44. In its report dated September 1, 2006 ("DDOT Report"), DDOT supported the PUD Modification. The DDOT Report concluded that it concurred with the Traffic Impact Study, attached as Exhibit B to the Supplemental Prehearing Submission, in the record at Exhibit 22.
- 45. The DDOT Report found no significant impact, as long as a new signal is installed at the intersection of Michigan Avenue and Hospital Center Drive South. In the DDOT Report, DDOT requested that Children's Hospital pay one-third of the cost of the signal, which it estimates to be between \$200,000 and \$250,000. Thus, Children's Hospital's estimated cost of participation is \$70,000. DDOT requested that Children's Hospital enter into a Memorandum of Understanding to document the contribution.

ANC 5C Report

- 46. By letter dated June 28, 2006, ANC 5C indicated that it voted at its regularly scheduled public meeting on June 20, 2006 to support the PUD Modification.

Letters in Support and Opposition

- 47. Washington Hospital Center, the immediately adjacent land user, filed a letter in support of the case dated August 8, 2006.
- 48. No letters in opposition were filed in the record.

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CONCLUSIONS OF LAW

1. Pursuant to the Zoning Regulations, the PUD process is designed to encourage high-quality development that provides public benefits. (11 DCMR § 2400.1) The overall goal of the PUD process is to permit flexibility of development and other incentives, provided that the PUD project "offers a commendable number or quality of public benefits, and that it protects and advances the public health, safety, welfare, and convenience." (11 DCMR § 2400.2)
2. Under the PUD process of the Zoning Regulations, the Zoning Commission considers a modification to an approved PUD as if it were a second-stage PUD application. The Commission may impose development conditions, guidelines, and standards that may exceed or be less than the matter-of-right standards identified for height, density, lot occupancy, parking, loading, yards, and courts. The Zoning Commission may also approve uses that are permitted as special exceptions and would otherwise require approval by the BZA.
3. The development of this project advances the purposes of Chapter 24 of the Zoning Regulations to encourage the development of well-planned developments that will offer a variety of building types with more attractive and efficient overall planning and design, not achievable under matter-of-right development.
4. The proposed PUD Modification meets the minimum area requirements of § 2401.1 of the Zoning Regulations.
5. The PUD Modification is within the applicable height and bulk standards of the Zoning Regulations and the previously approved PUDs. The height and density will not cause a significant adverse effect on any nearby properties. The impact of the project on the surrounding area is not unacceptable. Accordingly, the PUD Modification can be approved.
6. The PUD Modification can be approved with conditions to ensure that the potential adverse effects on the surrounding area from the development will be mitigated.
7. Pursuant to 11 DCMR § 2405.7, the PUD Modification seeks flexibility from the roof structure requirements regarding height (11 DCMR § 530.5(c)), number of enclosures (11 DCMR § 411.3), and walls of equal height (11 DCMR § 411.5). The project benefits and amenities, identified in Finding No. 21, are sufficient trade-off for the flexibility and development incentives requested.
8. Approval of the PUD Modification is appropriate, because it is consistent with the character of the area.

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9. Approval of this PUD Modification is not inconsistent with the Comprehensive Plan.
10. The Commission is required under D.C. Code 2001 Ed. § 1-309.10(d) to give great weight to the affected ANC's recommendations. The Commission has carefully considered ANC 5C's report and concurs with its recommendation the application should be granted.
11. The approval of the PUD Modification will promote the orderly development of the Site in conformity with the entirety of the District of Columbia zone plan as embodied in the Zoning Regulations and Zoning Map of the District of Columbia.
12. Notice was provided in accordance with the Zoning Regulations and applicable case law.
13. The PUD Modification is subject to compliance with D.C. Law 2-38, the Human Rights Act of 1977.

DECISION

In consideration of the Findings of Fact and Conclusions of Law contained in this Order, the Zoning Commission for the District of Columbia orders **APPROVAL** of the PUD Modification. This approval is subject to the following guidelines, conditions, and standards:

1. The PUD Modification shall be developed substantially in accordance with the plans prepared by Wilmot Sanz and dated May 23, 2006, in the record at Exhibit 4, as supplemented by the revised Page 7 of the plans submitted with the Supplemental Prehearing Submission on August 18, 2006, in the record at Exhibit 22, and the revised roof plan shown on Page 26 (Revised) submitted at the public hearing, in the record at Exhibit 27 (collectively, the "Plans"), as modified by the guidelines, conditions, and standards herein.
2. The PUD Modification shall permit the construction of Floors 5 and 6 of the East Addition, including approximately 96,000 square feet of gross floor area with a maximum height of 117 feet, 3 inches. The PUD Modification shall also permit the construction of a four-story Post-Up, including up to 72,000 square feet of gross floor area and having a maximum height of 109 feet, 6 inches if all four floors are constructed. The total project shall have a maximum density of 3.55 FAR.
3. The approval of the PUD Modification includes approval of all construction authorized by building permits since the 1989 Approval.
4. Children's Hospital shall contribute one-third of the cost towards the design and construction of a new traffic signal at the intersection of Michigan Avenue, N.W., and the Hospital Center Drive. The requirement for the Applicant to provide such a financial contribution shall be triggered by DDOT's submission of a letter to the Applicant and the

- Zoning Commission indicating DDOT's formal decision to construct the traffic signal and the time period in which design and construction is to be completed. The Applicant shall provide such payment within 30 days after receipt of DDOT's letter, but not earlier than the issuance of the first building permit for construction authorized by condition 2.
5. Children's Hospital shall implement a transportation management plan, as set forth in its Traffic Impact Study dated August 2, 2006, attached as Exhibit B to the Supplemental Prehearing Submission filed with the Zoning Commission on August 18, 2006 and found in the record at Exhibit 22.
 6. Children's Hospital shall abide by the terms of the executed Memorandum of Understanding with the D.C. Local Business Opportunity Commission.
 7. Children's Hospital shall abide by the terms of the executed First Source Employment Agreement with the Department of Employment Services.
 8. Children's Hospital shall have flexibility with the design of the PUD Modification in the following areas:
 - a. To vary the location and design of all interior components, including partitions, structural slabs, doors, hallways, columns, stairways, mechanical rooms, interstitial areas, elevators, escalators, and toilet rooms, provided that the variations do not materially change the exterior configuration of the building; and
 - b. To make refinements to exterior materials, details, and dimensions, including belt courses, sills, bases, cornices, railings, roof, skylights, architectural embellishments, and trim, or any other changes to comply with the District of Columbia Building Code or that are otherwise necessary to obtain a final building permit or any other applicable approvals.
 9. No building permit shall be issued for this PUD Modification until Children's Hospital has recorded a Notice of Modification in the land records of the District of Columbia.
 10. The Office of Zoning shall not release the record of this case to the Zoning Division of Department of Consumer and Regulatory Affairs ("DCRA") until Children's Hospital has filed a copy of the Notice of Modification with the records of the Zoning Commission.
 11. The PUD Modification approved by the Zoning Commission shall be valid for a period of two years from the effective date of this Order. Within such time, an application must be filed for a building permit as specified in 11 DCMR § 2409.1. Construction shall begin within three years of the effective date of this Order.
 12. Pursuant to the Human Rights Act of 1977, D.C. Code § 1-2531 (1991), Children's Hospital is required to comply fully with the provisions of the Act, and this Order is

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conditioned upon full compliance with those provisions. Nothing in this Order shall be understood to require the Zoning Division of DCRA to approve permits if Children's Hospital fails to comply with any provision of the Human Rights Act.

The Zoning Commission at its public meeting held on September 7, 2006, **APPROVED** the application by a vote of **5-0-0** (Anthony J. Hood, Michael G. Turnbull, Carol J. Mitten, John G. Parsons, and Gregory N. Jeffries to approve).

This Order was **ADOPTED** by the Zoning Commission at its public meeting on October 16, 2006, by a vote of **5-0-0** (Carol J. Mitten, Michael G. Turnbull, Anthony J. Hood, John G. Parsons, and Gregory N. Jeffries to approve).

In accordance with the provisions of 11 DCMR § 3028, this Order shall become final and effective upon publication in the *D.C. Register*; that is on _____.

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